DEWAN'S REPLY: Mr. Bhagavathiperumal Chettiyar, may I request you to hand over your representation to the Chief Secretary? I do not know if the reporter has been able to take full shorthand notes of it.

Your representation contains many valuable suggestions; in one sense, I may say, too many for me to reply to them at once. Most of them are suggestions which will have to be considered by the officer who is going to be shortly appointed for investigating the delays in the disposal of cases. The others will be referred to the High Court and disposed of upon the remarks that the High Court may send up to Government.

20. Establishment of a Magistrate's Court at Tiruvalla.

MR. K. V. SRIDHARAN MOOSSATU (*Municipal Council, Tiruvalla*) urged the need for a Magistrate's Court at Tiruvalla. Till the year 1098, there was a Magistrate's Court there. When the proposed abolition of that court was notified for public criticism, the local inhabitants strongly objected to the proposal in vain. Ever since the subject was being pressed at the Assembly, but no definite orders were passed by the Government sanctioning the prayer although the need for it was long felt by them. The member wished to know definitely whether a court at Tiruvalla would be sanctioned or not, so that the matter might be set at rest. He, however, pointed out that the people of Tiruvalla taluk were put to much hardship and loss in having to go to Chengannur, 30 miles away, in connection with magisterial cases. He therefore again pressed the need for a Second Class Magistrate's Court at Tiruvalla.

DEWAN'S REPLY: Mr. Sridharan Moossatu, I am sorry I am not in a position just now to give any such definite assurance as you have asked me to give. I will do the next best thing. I will tell you that this question of a Magistrate's Court at Tiruvalla, along with the wider question of the readjustment of the jurisdiction of the Magistrates in the Quilon Division, is engaging the attention of the Government; and if that too does not satisfy you, I may go further and say that you may expect definite orders in the matter before long.

21. Administration of Civil and Criminal Justice.

MR. NARAYANARU KRISHNARU (*Jenmies, Trivandrum Division, Group II*) made the following suggestions for removing the hardships caused to the public on account of the working of the civil courts:—

(1) Unregistered documents produced in courts were sometimes lost or tampered with. It should therefore be ruled that it would be enough if copies of documents be produced and that the originals should be produced only when necessary.

(2) Details regarding the remittance of court fees, etc, along with the plaint should be attested by the Head Clerk. This would facilitate the preparation of decree after the disposal of the suit.

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(3) The rule requiring the Sub-Registrar's certificate so as to issue notice to *jenmies* when *jenmam* lands are brought to auction should be cancelled.

(4) A small stamp fee should be levied on certificates produced by Vakils in regard to the receipt of vakils' fee. It sometimes happens that the certificates are lost.

(5) Decrees should be prepared in terms of the judgments. If, due to any variation, the parties are put to loss, that loss should be recouped from the officer who signed the decree.

(6) Amins who do not carry out eviction orders in accordance with the decree should be summarily dealt with.

(7) The Vakils should be asked to give receipts for the fees that they received from parties. Their accounts should be examined every month by the Munsiffs and also by the inspecting Judge.

(8) Notices should be published every month showing the amount of unspent process fees and the names of parties to whom they are due.

(9) The amounts deposited in courts should be given only on production of receipts from the parties to whom they are due.

(10) A small stamp fee should be levied on applications presented for striking cases off the file. This will prevent loss of such applications and recovery of unnecessary execution fees from parties.

(11) Certain judgments are pronounced disregarding the principles enunciated in decided cases and clear provisions of law. This should be prevented.

(12) The rule regarding the recovery of all process fees in a lump should be amended so far as suits relating to immovable properties are concerned and it should be laid down that it would be enough if such fees in respect of these properties are recovered from time to time.

(13) Munsiffs should be encouraged by giving them such promotions as they are eligible for. New recriutment of Judges over the heads of experienced Munsiffs had a demoralising effect on the latter.

(14) The Government did not insist on ascertaining the age of an officer at the time of his initial appointment. Instances were not wanting where the official age of an officer was far less than his real age. Arrangements should therefore be made for correctly verifying the age of an officer before he is appointed; and if any mistake be proved, the officer concerned should be severely dealt with.

(15) The Government should take prompt steps for prosecuting persons who disobeyed orders of civil courts in regard to the arrest of debtors, attachment of properties, etc., and caused bodily hurt to the officers authorised to execute such orders. If this was not possible, the Munsifts should be invested with second class Magisterial powers to deal with such offenders.

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The member next referred to the need for enhancing the pay of the Stationary Magistrates who had heavy work, but a comparatively small pay.

DEWAN'S REPLY: Mr. Narayanaru Krishnaru, I can only say with regard to your representations that I will refer them to the High Court. If you had given an indication of the subjects that you were going to press here today, I might have referred them to the High Court and got some reply from them. As it is, I could not know what you were going to say.

MEMBER : ഹൈക്കോടതിയിലേക്കു എഴുതി അയച്ചാൽ ഇതൊക്കെ കള്ളമാണെന്നു പറയും. ഹൈക്കോടതി ജഡ്ജിക്കുടി ഇവിടെ ഉണ്ടായിരുന്നാൽ ഈ സംഗതികളെല്ലാം ബോദ്ധ്യപ്പെട്ടുമായിരുന്നു.

DEWAN : ഇപ്പോൾ ഹൈക്കോടതി ജഡ്ജിമാർ ആരെങ്കിലും ഉണ്ടായിരുന്നാൽ തന്നെയും നിങ്ങൾ ഇന്നതാണു പറയാൻ പോകുന്നതെന്നു മുൻകൂട്ടി എഴുതി അയക്കാത്ത സ്ഥിതിക്കു മറുപടി പറയാൻസാധിക്കയില്ലായിരുന്നു.

MEMBER : ഹൈക്കോടതിയിലേക്കു എഴുതി അയച്ചാൽ ഇതു കള്ളമാണെന്നു തന്നെ പറയും.

DEWAN : കള്ളമാണെങ്കിൽ കള്ളമെന്നുതന്നെ പറയും.

The Assembly adjourned at 4-55 P. M. to meet again at 11-30 A. M. the next day.

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